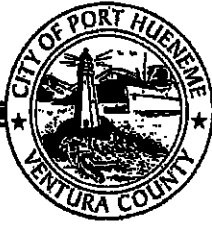


Appendix B

Adoption Resolution by City Council; Copy of the Public Notice;



City of Port Hueneme

July 19, 2011

Chris Stephens, Director
Ventura County Resource Management Agency
800 S Victoria Avenue
Ventura CA 93009

**RE: REVIEW OF THE 2010 CITY OF PORT HUENEME URBAN WATER
MANAGEMENT PLAN**

Dear Mr. Stephens:

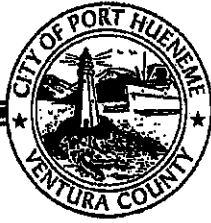
On June 13 2011, The City of Port Hueneme provided you with a notice pursuant to Water Code, section 10621, subdivision (b) of the Act, which requires an urban water supplier to notify any city or county within which it provides water that it is reviewing its plan and considering changes to the plan. A copy of the City's 2011 UWMP draft is being provided for your review.

The Act also requires that an urban water supplier hold one public hearing before adopting a plan, in order to ensure sufficient opportunity for public feedback, input and suggestions. The public hearing is currently scheduled for the City of Port Hueneme Council Meeting on September 6, 2011 beginning at 6:30 pm. The public hearing will take place in the City of Port Hueneme Council Chambers at 250 N Ventura Road, Port Hueneme, CA 93041. Following the public hearing, the UWMP is scheduled to be adopted by the City of Port Hueneme City Council.

Please call me at 805-986-6566 if you have any questions. Thank you.

Sincerely,

Steve Hickox
Water Superintendent



City of Port Hueneme

July 19, 2011

Jeff Pratt
Fox Canyon Groundwater Management Agency
L # 1600
800 South Victoria Avenue
Ventura CA 93009

**RE: REVIEW OF THE 2010 CITY OF PORT HUENEME URBAN WATER
MANAGEMENT PLAN**

Dear Mr. Pratt:

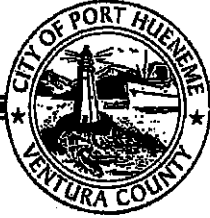
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Sincerely,

Steve Hickox
Water Superintendent



City of Port Hueneme

July 19, 2011

Douglas A. Breeze, Mayor Pro-Tem

**RE: REVIEW OF THE 2010 CITY OF PORT HUENEME URBAN WATER
MANAGEMENT PLAN**

Dear Mayor Pro-Tem Breeze:

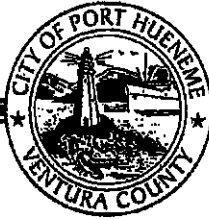
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Please call me at 805-986-6566 if you have any questions. Thank you.

Sincerely,

Steve Hickox
Water Superintendent



City of Port Hueneme

July 19, 2011

Norman E. Griffaw, Councilmember

**RE: REVIEW OF THE 2010 CITY OF PORT HUENEME URBAN WATER
MANAGEMENT PLAN**

Dear Councilmember Griffaw:

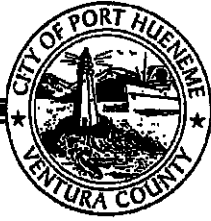
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Please call me at 805-986-6566 if you have any questions. Thank you.

Sincerely,

Steve Hickox
Water Superintendent



City of Port Hueneme

July 19, 2011

Ellis Green, Councilmember

**RE: REVIEW OF THE 2010 CITY OF PORT HUENEME URBAN WATER
MANAGEMENT PLAN**

Dear Councilmember Green:

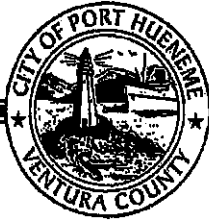
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Please call me at 805-986-6566 if you have any questions. Thank you.

Sincerely,

Steve Hickox
Water Superintendent



City of Port Hueneme

July 19, 2011

Jonathan Sharkey, Councilmember

**RE: REVIEW OF THE 2010 CITY OF PORT HUENEME URBAN WATER
MANAGEMENT PLAN**

Dear Councilmember Sharkey:

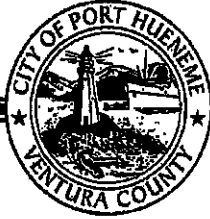
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Please call me at 805-986-6566 if you have any questions. Thank you.

Sincerely,

Steve Hickox
Water Superintendent



City of Port Hueneme

July 19, 2011

Sylvia Muñoz Schnopp, Mayor

**RE: REVIEW OF THE 2010 CITY OF PORT HUENEME URBAN WATER
MANAGEMENT PLAN**

Dear Mayor Schnopp:

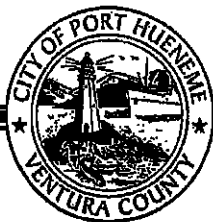
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Please call me at 805-986-6566 if you have any questions. Thank you.

Sincerely,

Steve Hickox
Water Superintendent



City of Port Hueneme

July 19, 2011

Anthony Emmert
City of Oxnard
251 South Hayes Ave
Oxnard CA 93030

**RE: REVIEW OF THE 2010 CITY OF PORT HUENEME URBAN WATER
MANAGEMENT PLAN**

Dear Mr. Emmert:

On June 13 2011, The City of Port Hueneme provided you with a notice pursuant to Water Code, section 10621, subdivision (b) of the Act, which requires an urban water supplier to notify any city or county within which it provides water that it is reviewing its plan and considering changes to the plan. A copy of the City's 2011 UWMP draft is being provided for your review.

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Please call me at 805-986-6566 if you have any questions. Thank you.

Sincerely,

Steve Hickox
Water Superintendent

Certificate of Publication

Ad #283066

In Matter of Publication of:

Public Notice

State of California)

))§

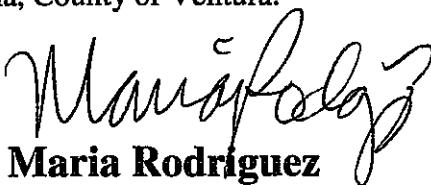
County of Ventura)

I, **Maria Rodriguez**, hereby certify that the **Ventura County Star Newspaper** has been adjudged a newspaper of general circulation by the Superior Court of California, County of Ventura within the provisions of the Government Code of the State of California, printed in the City of Camarillo, for the County of Ventura, State of California; that I am a clerk of the printer of said paper; that the annexed clipping is a true printed copy and publishing in said newspaper on the following dates to wit:

July 27, 2011

I, **Maria Rodriguez** certify under penalty of perjury, that the foregoing is true and correct.

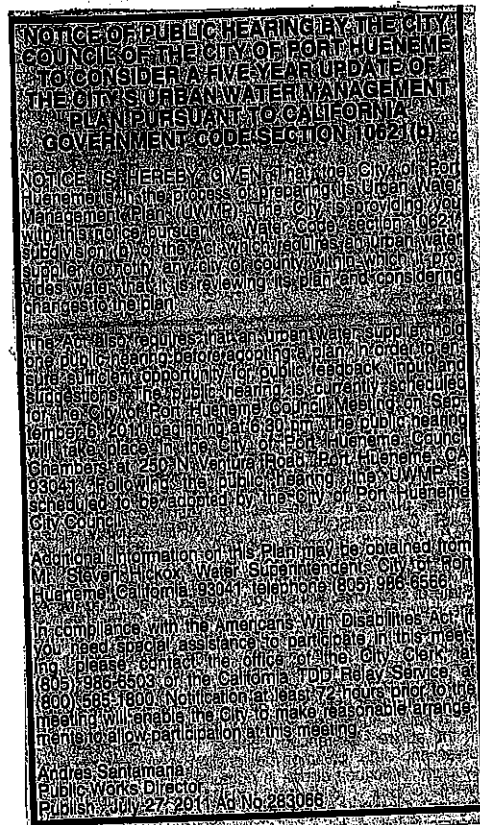
Dated this July 27, 2011, in Camarillo,
California, County of Ventura.


Maria Rodriguez
(Signature)

COPH - Public Works

AUG 31 2011

Rec'd by _____



Appendix C

City's Water Conservation Ordinance No. 698

ORDINANCE NO. 698

AN ORDINANCE OF THE CITY COUNCIL ESTABLISHING THE CITY OF PORT HUENEME WATER CONSERVATION AND WATER SUPPLY SHORTAGE PROGRAM AND REGULATIONS

The City Council of the City of Port Hueneme does ordain as follows:

SECTION 1. Title

This ordinance will be known as the City of Port Hueneme Water Conservation and Water Supply Shortage Program and Regulations.

SECTION 2. Findings

- A. A reliable minimum supply of potable water is essential to and benefits the public health, safety and welfare of the people of Port Hueneme.
- B. The City and its service area is located in Southern California, a semi-arid region that is largely dependent upon imported water supplies to augment limited local ground water supplies. A growing population, climate change, environmental concerns, and other factors in other parts of the State and western United States, make the region highly susceptible to water supply reliability issues.
- C. Careful water management that includes active water conservation measures not only in times of drought, but at all times, is essential to ensure a reliable minimum supply of water to meet current and future water supply needs.
- D. Article X, Section 2 of the California Constitution declares that the general welfare requires that water resources be put to beneficial use, waste or unreasonable use or unreasonable method of use of water be prevented, and conservation of water be fully exercised with a view to the reasonable and beneficial use thereof.
- E. Article XI, Section 7 of the California Constitution declares that a city or county may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws.
- F. California Water Code section 375 authorizes water suppliers to adopt and enforce a comprehensive water conservation program to reduce water consumption and conserve supplies.
- G. The adoption and enforcement of a water conservation and supply shortage program is necessary to manage the City of Port Hueneme's potable water supply in the short and long-term and to avoid or minimize the effects of drought and shortage within the City of Port

7. **"Billing unit"** means the unit of water (measured in hundred cubic feet (HCF)) used to apply water rates for purposes of calculating water charges for a person's water usage. A billing unit equals one hundred (100) cubic feet or seven hundred forty-eight (748) gallons of water.

SECTION 5. Application

- A. The provisions of this ordinance apply to any person in the use of any potable water provided by the City of Port Hueneme.
- B. The provisions of this ordinance do not apply to uses of water necessary to protect public health and safety or for essential government services, such as police, fire and other similar emergency services.
- C. The provisions of this ordinance chapter do not apply to the use of recycled water, with the exception of Section VI (A).
- D. The provisions of this ordinance do not apply to the use of water by commercial nurseries and commercial growers to sustain plants, trees, shrubs, crops or other vegetation intended for commercial sale.
- E. This ordinance is intended solely to further the conservation of water. It is not intended to implement any provision of federal, State, or local statutes, ordinances, or regulations relating to protection of water quality or control of drainage or runoff. Refer to the local jurisdiction or Regional Water Quality Control Board for information on any stormwater ordinances and stormwater management plans.

SECTION 6. Permanent Water Conservation Requirements – Prohibition Against Waste

The following water conservation requirements are effective at all times and are permanent. Violations of this section will be considered waste and an unreasonable use of water.

- A. **Limits on Watering Hours:** Watering or irrigating of lawn, landscape or other vegetated area with potable water is prohibited between the hours of 9:00 a.m. and 5:00 p.m. Pacific Standard Time on any day, except by use of a hand-held bucket or similar container, a hand-held hose equipped with a positive self-closing water shut-off nozzle or device, or for very short periods of time for the express purpose of adjusting or repairing an irrigation system.
- B. **Limit on Watering Duration:** Watering or irrigating of lawn, landscape or other vegetated area with potable water using a

to Decline Daily Linen Services: Hotels, motels, and other commercial lodging establishments must provide customers the option of not having towels and linen laundered daily. Commercial lodging establishments must prominently display notice of this option in each bathroom using clear and easily understood language.

- J. No Installation of Single Pass Cooling Systems:** Installation of single pass cooling systems is prohibited in buildings requesting new water service.
- K. No Installation of Non-re-circulating in Commercial Car Wash and Laundry Systems:** Installation of non-re-circulating water systems is prohibited in new commercial conveyor car wash and new commercial laundry systems.
- L. Restaurants Required to Use Water Conserving Dish Wash Spray Valves:** Food preparation establishments, such as restaurants or cafes, are prohibited from using non-water conserving dish wash spray valves.
- M. Commercial Car Wash Systems:** All commercial conveyor car wash systems must have installed operational re-circulating water systems, or must have secured a waiver of this requirement from the City of Port Hueneme.

SECTION 7. Level 1 Water Supply Shortage

- A. A Level 1 Water Supply Shortage exists** when the City of Port Hueneme determines, in its sole discretion, that due to drought or other water supply conditions, a water supply shortage or threatened shortage exists and a consumer demand reduction is necessary to make more efficient use of water and appropriately respond to existing water conditions. Upon the declaration by the City of Port Hueneme of a Level 1 Water Supply Shortage condition, the City of Port Hueneme will implement the mandatory Level 1 conservation measures identified in this section.
- B. Additional Water Conservation Measures:** In addition to the prohibited uses of water identified in Section VI, the following water conservation requirements apply during a declared Level 1 Water Supply Shortage:
 - 1. Limits on Watering Days:** Watering or irrigating of lawn, landscape or other vegetated area with potable water is limited to three days per week on a schedule established and posted by the City of Port Hueneme. During the months of November through March, watering or irrigating of lawn, landscape or other vegetated area with potable water is limited to no more than one day per week

repairing an irrigation system.

2. **Obligation to Fix Leaks, Breaks or Malfunctions:** All leaks, breaks, or other malfunctions in the water user's plumbing or distribution system must be repaired within forty-eight (48) hours of notification by the City of Port Hueneme unless other arrangements are made with the City of Port Hueneme's Water Superintendent.
3. **Limits on Filling Ornamental Lakes or Ponds:** Filling or re-filling ornamental lakes or ponds is prohibited, except to the extent needed to sustain aquatic life, provided that such animals are of significant value and have been actively managed within the water feature prior to declaration of a supply shortage level under this ordinance.
4. **Limits on Washing Vehicles:** Using water to wash or clean a vehicle, including but not limited to, any automobile, truck, van, bus, motorcycle, boat or trailer, whether motorized or not, is prohibited except by use of a hand-held bucket or similar container, a hand-held hose equipped with a positive self-closing water shut-off nozzle or device, by high pressure/low volume wash systems, or at a commercial car washing facility that utilizes a re-circulating water system to capture or reuse water.
5. **Limits on Filling Residential Swimming Pools & Spas:** Re-filling of more than one foot and any initial filling of residential swimming pools or outdoor spas with potable water is prohibited.

SECTION 9. Level 3 Water Supply Shortage – Emergency Condition

- A. A Level 3 Water Supply Shortage condition is also referred to as an "Emergency" condition. A Level 3 condition exists when the City of Port Hueneme declares a water shortage emergency and notifies its residents and businesses that a significant reduction in consumer demand is necessary to maintain sufficient water supplies for public health and safety. Upon the declaration of a Level 3 Water Supply Shortage condition, the City of Port Hueneme will implement the mandatory Level 3 conservation measures identified in this section.
- B. **Additional Conservation Measures:** In addition to the prohibited uses of water identified in Section VI, VII, and VIII, the following water conservation requirements apply during a declared Level 3 Water Supply Shortage Emergency:
 1. **No Watering or Irrigating:** Watering or irrigating of lawn, landscape or other vegetated area with potable water is prohibited. This restriction does not apply to the following categories of use, unless the City of Port Hueneme has determined that recycled

conditions may be declared by resolution of the City of Port Hueneme adopted at a regular or special public meeting held in accordance with State law. The mandatory conservation requirements applicable to Level 1, Level 2 or Level 3 conditions will take effect on the tenth day after the date the shortage level is declared. Within five (5) days following the declaration of the shortage level, the City of Port Hueneme must publish a copy of the resolution in a newspaper used for publication of official notices. If the City of Port Hueneme activates a water allocation process, it must provide notice of the activation by including it in the regular billing statement or by any other mailing to the address to which the City of Port Hueneme customarily mails the billing statement for fees or charges for on-going water service. A water allocation will be effective on the fifth day following the date of mailing or at such later date as specified in the notice.

SECTION 11. Hardship Waiver

- A. Undue and Disproportionate Hardship:** If, due to unique circumstances, a specific requirement of this chapter would result in undue hardship to a person using water or to property upon which water is used, that is disproportionate to the impacts to water users generally or to similar property or classes of water users, then the person may apply for a waiver to the requirements as provided in this section.
- B. Written Finding:** The waiver may be granted or conditionally granted only upon a written finding of the existence of facts demonstrating an undue hardship to a person using water or to property upon which water is used, that is disproportionate to the impacts to water users generally or to similar property or classes of water use due to specific and unique circumstances of the user or the user's property.
1. **Application:** Application for a waiver must be on a form prescribed by the City of Port Hueneme and accompanied by a non-refundable processing fee in an amount set by City of Port Hueneme resolution.
 2. **Supporting Documentation:** The application must be accompanied by photographs, maps, drawings, and other information, including a written statement of the applicant.
 3. **Required Findings for Waiver:** An application for a waiver will be denied unless the City's Public Works Director finds, based on the information provided in the application, supporting documents, or such additional information as may be requested, and on water use information for the property as shown by the records of the City of Port Hueneme or its Agent, all of the following:

and fifty dollars (\$250).

4. **Fourth and Subsequent Violations:** A fourth and any subsequent violation is punishable by a fine not to exceed five hundred dollars (\$500).

- i. **Water Flow Restrictor:** In addition to any fines, the City of Port Hueneme may install a water flow restrictor device of approximately one gallon per minute capacity for services up to one and one-half inch size and comparatively sized restrictors for larger services after written notice of intent to install a flow restrictor for a minimum of forty eight (48) hours.

5. **Discontinuing Service:** In addition to any fines and the installation of a water flow restrictor, the City of Port Hueneme may disconnect a customer's water service for willful violations of mandatory restrictions in this chapter

C. **Cost of Flow Restrictor and Disconnecting Service:** A person or entity that violates this ordinance is responsible for payment of the City of Port Hueneme's charges for installing and/or removing any flow restricting device and for disconnecting and/or reconnecting service per the City of Port Hueneme's schedule of charges then in effect. The charge for installing and/or removing any flow restricting device must be paid to the City of Port Hueneme before the device is removed. Nonpayment will be subject to the same remedies as nonpayment of basic water service.

D. **Separate Offenses:** Each day that a violation of this ordinance occurs is a separate offense.

E. **Notice and Hearing:**

1. The City of Port Hueneme will issue a Notice of Violation by mail or personal delivery at least ten (10) days before taking enforcement action. Such notice must describe the violation and the date by which corrective action must be taken. A customer may appeal the Notice of Violation by filing a written notice of appeal with the City of Port Hueneme no later than the close of business on the day before the date scheduled for enforcement action. Any Notice of Violation not appealed in writing within 30 days will be final. Upon receipt of a timely appeal, a hearing on the appeal will be scheduled, and the City of Port Hueneme will mail written notice of the hearing date to the customer at least ten (10) days before the date of the hearing.
2. Pending receipt of a written appeal or pending a hearing pursuant to an appeal, the City of Port Hueneme may take appropriate steps to prevent the unauthorized use of water as appropriate to the

nature and extent of the violations and the current declared water Level condition.

SECTION 13. Severability

If any section, subsection, sentence, clause or phrase in this chapter is for any reason held invalid, the validity of the remainder of the chapter will not be affected. The City of Port Hueneme hereby declares it would have passed this chapter and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses, or phrases or is declared invalid.

PASSED, APPROVED AND ADOPTED this 1st day of March, 2010.



NORMAN E. GRIFFAW
MAYOR

ATTEST:




MICHELLE ASCENCION
DEPUTY CITY CLERK

APPROVED AS TO FORM:

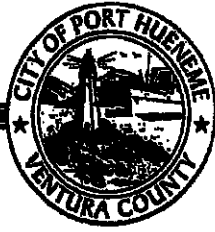


MARK D. HENSLEY
CITY ATTORNEY

APPROVED AS TO CONTENT:



DAVID J. NORMAN
CITY MANAGER



City of Port Hueneme

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF VENTURA) SS:
CITY OF PORT HUENEME)


I, MICHELLE ASCENCION, duly appointed and qualified Deputy City Clerk of the City of Port Hueneme, do hereby certify that the foregoing **Ordinance No. 698** is a true and correct copy passed and adopted at the Regular City Council Meeting of March 1, 2010 by the City Council of the City of Port Hueneme by the following vote:

AYES: Council Members Maricela P. Morales, Jonathan Sharkey,
Mayor Pro Tem Sylvia Muñoz Schnopp,
Mayor Norman E. Griffaw

NOES: None

ABSTAINING: None

ABSENT: Council Member Douglas A. Breeze


Michelle Ascencion, CMC, Deputy City
Clerk of the City of Port Hueneme and
ex-officio Clerk of the Council

Dated: March 2, 2010